



November 23, 1999

Mr. Neal J. Iverson  
Iverson & Norwood  
P.O. Box 759  
Dayton, Texas 77535

OR99-3370

Dear Mr. Iverson:

You ask whether certain information is subject to required public disclosure under chapter 552 of the Government Code. Your request was assigned ID# 131029.

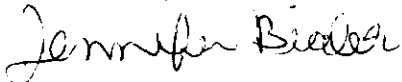
The City of Dayton (the "city") received a request for information regarding a police report and witness statements. You claim that the information is excepted from disclosure under section 552.108(a)(2) of the Government Code. We have considered the exception you claim and have reviewed the submitted information.

Section 552.108(a)(2) excepts from disclosure information concerning an investigation that concluded in a result other than conviction or deferred adjudication. You assert and the documents show that the requested information pertains to a case that concluded in a result other than conviction or deferred adjudication. Therefore, we agree that section 552.108(a)(2) is applicable. You have stated that you have provided the requestor with basic information as required by section 552.108(c). We note, however, that you have not released a detailed description of the offense, which is considered to be basic information. *See Houston Chronicle Publ'g Co. v. City of Houston*, 531 S.W.2d 177 (Tex. Civ. App.--Houston [14th Dist.] 1975), *writ ref'd n.r.e. per curiam*, 536 S.W.2d 559 (Tex. 1976); Open Records Decision No. 127 (1976). Thus, you must release a detailed description of the offense. You have the discretion to release all or part of the remaining information that is not otherwise confidential by law. Gov't Code § 552.007.

We are resolving this matter with an informal letter ruling rather than with a published open records decision. This ruling is limited to the particular records at issue under the facts

presented to us in this request and should not be relied upon as a previous determination regarding any other records. If you have questions about this ruling, please contact our office.

Sincerely,

A handwritten signature in cursive script that reads "Jennifer Bialek".

Jennifer Bialek  
Assistant Attorney General  
Open Records Division

JHB/ch

Ref: ID# 131029

Encl. Submitted documents

cc: Mr. Scott C. Lannie  
Lannie & VanCleave, P.L.L.C.  
3814 Highway 146  
Baytown, Texas 77520  
(w/o enclosures)